

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

Texas Association for the Rights of the Unemployed, Kathryn Kawazoe, Stephanie Stout, Kimberly Hartman, Charles Harmon, and Jesus Duarte,	§ § § § § §	
<i>Plaintiffs,</i>	§	Civil Action No. 1:22-cv-00417
v.	§	
Texas Workforce Commission and Ed Serna, Executive Director, Texas Workforce Commission, in his official capacity	§ § § § § §	
<i>Defendants.</i>	§	

**[PROPOSED] ORDER GRANTING DEFENDANT'S PARTIAL  
MOTION TO DISMISS**

Having reviewed and considered the papers submitted by the parties with respect to Defendant's Partial Motion to Dismiss Under Rule 12(b)(1) and 12(b)(6) ("Motion"), and finding good cause therefor, IT IS ORDERED THAT:

1. The Motion is GRANTED.
2. All Causes of Action against the Texas Workforce Commission are dismissed with prejudice for want of jurisdiction.
3. Plaintiffs' Request that the Court order the Texas Workforce Commission to pay unemployment benefits is dismissed with prejudice for want of jurisdiction.
4. Causes of Action 2, 3, 4, 6, 8, and 10 are dismissed with prejudice because they fail to state a claim.

5. Plaintiff Texas Association for the Rights of the Unemployed is dismissed from this suit for lack of standing.

IT IS SO ORDERED, ADJUDGED, AND DECREED.

Dated: \_\_\_\_\_

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**HON. ROBERT PITMAN  
UNITED STATES DISTRICT JUDGE**